



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO. 1476 OF 2023

Nitin Hardasrao Fande

Vs.

State of Maharashtra, Thru. PSO PS Teosa, Dist. Amravati and Anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. C.A.Babrekar, Advocate for applicant.
Ms Shamsi Haider, APP for non-applicant No.1/State.

CORAM : ANIL S. KILOR AND
PRAVIN S. PATIL, JJ.

DATE : 03.04.2025.

Heard.

2. In this matter, the allegations are of electricity theft and accordingly, the offence came to be registered under Section 135-1(a) of the Indian Electricity (Amendment) Act, 2003 against the applicant.

3. It is the case of the applicant that in the similar complaint on disconnection of the electricity supply to the Restaurant and Bar of the applicant, he installed Solar Electricity Panels and therefore, the complaint is false. He further submits that he has been falsely implicated because of some dispute between staff of the company. Thus, he

submits that the complaint is made out of grudge against the applicant.

4. In the circumstances having perused the record, it is evident that it is not the case of the prosecution that the applicant tampered with the electric meter or he manipulated the same. In fact, the case of the prosecution is that he put a hook on a live wire and therefrom he is using electricity for his restaurant.

5. Thus, considering the specific allegations against the applicant and the argument that the complaint came to be filed out of grudge, we are of the opinion that this is a matter of trial and it cannot be said that the offence is not constituted. Accordingly, no case is made out for quashing of the FIR,

The Criminal Application is therefore, **rejected**.

(Pravin S. Patil, J.)

(Anil S. Kilor, J.)